

REMARKS/ARGUMENTS

Claims 17-18 are withdrawn. Claims 1-16 are pending.

The Applicants' attorney affirms the election of Group I, claims 1-16.

Statement of Common Ownership

The present Application No. 10/737,022 and U.S. Publication No. 2004/0221958 were, at the time the invention of Application No. 10/737,022 was made, owned by Lam Research Corporation.

Claim rejections under 35 USC § 103

The Examiner rejected claims 1-16 under 35 U.S.C. 103(a) as being unpatentable over Lowenhardt (US Pub. No. 2004/0221958) in view of Gorin (US Pat. No. 4,464,223) and further in view of Wolf Silicon Processing for the VLSI Era, Vol. 1 Lattice Press (1986). The Applicants' attorney appreciates the Examiner's comments regarding 35 U.S.C. 103(c).

Lowenhardt is commonly owned with the current application, and therefore is an improper 102(e)/103(a) references, according to 35 U.S.C. 103(c).

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number (650) 961-8300.

Respectfully submitted,
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